

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

THOMAS L. HUGHES, JR.

*Plaintiff,*

v.

SHERIFF JIM HAMMOND, JAILER

JOHN JULIAN;

*Defendants.*

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No. 1:11-cv-188

*Mattice/Lee*

**MEMORANDUM**

The Court is in receipt of a *pro se* civil rights complaint filed by Thomas L. Hughes, Jr. ("Plaintiff") pursuant to 42 U.S.C. § 1983 (Doc. 2). On November 29, 2011, the Court issued an order directing Plaintiff to complete the service packet and return it to the District Court Clerk within thirty (30) days from receipt of the order (Court Doc.11). Plaintiff was forewarned that failure to return the completed service packet within the time required would result in the dismissal of his complaint.

Plaintiff has not responded to the Court's November 29, 2011, Order. Plaintiff has not completed the service packet as previously Ordered or filed any response to the Order. Plaintiff's failure to timely respond to the Court's Order results in a finding by the Court that Plaintiff has failed to comply with its Order. Consequently, the Court will dismiss Plaintiff's complaint for noncompliance with its Order and failure to prosecute.

Rule 41(b) of the Federal Rules of Civil Procedure allows a court to dismiss an action *sua sponte* for failure to prosecute or for failure to comply with the federal rules or

any court order. This authority is based on the Court's inherent authority to control its docket and prevent undue delays in the disposition of pending cases.

Therefore, this action will be **DISMISSED** for Plaintiff's failure to prosecute and to comply with the orders of this Court. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

An appropriate Judgment will enter.

/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE